

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**PEDRO BARRIOS-CASTENEDA,
a/k/a Amadeo Zamudio-Chavez,**

Defendant.

No. 04-cr-30029-DRH-2

ORDER

HERNDON, Chief Judge:

Pending before the Court is defendant Pedro Barrios-Casteneda's *pro se* petition for revocation of supervised release (Doc. 540). The government's response (Doc. 542) moves to dismiss its pending petition for revocation of defendant's supervised release (Doc. 533), terminate the warrant (Doc. 535), and lift the detainer filed in this case. As the Court **GRANTS** the government's requested relief (Doc. 542), defendant's motion is rendered **MOOT** (Doc. 540).

Instantly, defendant requests the Court resolve the government's pending petition for revocation of defendant's supervised release (Doc. 533). The government responds that in December of 2011, a petition for warrant was filed in this case (Doc. 533) seeking revocation of defendant's supervised release after defendant allegedly committed the offense of attempted entry after deportation. The petition recommended a guideline sentencing range of 4-10 months.

On April 9, 2012, in the United States District Court for the Southern District of California, defendant pled guilty to an information, 11-cr-05619-JAH-1, charging him with attempted entry after deportation and was sentenced to 27 months of imprisonment. Thus, as defendant's sentence in 11-cr-05619-JAH-1 encompasses the same behavior described in the government's petition (Doc. 533) and defendant's sentence exceeded the guideline sentence recommended in the government's petition, the government moves to dismiss its petition (Doc. 533), terminate the warrant (Doc. 535), and lift the detainer filed in this case. The government further moves to discharge the remainder of defendant's supervised release which was originally scheduled to end in May of 2012, as it is unwarranted due to defendant's sentence in 11-cr-05619-JAH-1. The government further relates that it has discussed the foregoing with U.S. Probation Officer Kevin Rayman and states he has no objection to the above actions.

Accordingly, the Court **GRANTS** the government's motion. Thus, the government's petition is **DISMISSED** (Doc. 533), the warrant is **QUASHED** (Doc. 535), and the detainer previously placed on this defendant is hereby lifted. Further, the remainder of defendant's supervised release is **DISCHARGED**. Thus, defendant's motion is rendered **MOOT** (Doc. 540).

IT IS SO ORDERED.

Signed this 3rd day of August, 2012.

 Digitally signed by David
R. Herndon
Date: 2012.08.03 16:27:53
-05'00'

Chief Judge
United States District Court